

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

FAIR ISAAC CORPORATION,

Court File No. 16-cv-1054 (WMW/DTS)

Plaintiff,

v.

**DECLARATION OF
KEVIN MURPHY**

FEDERAL INSURANCE COMPANY,
an Indiana corporation, and ACE
AMERICAN INSURANCE COMPANY,
a Pennsylvania corporation,

Defendants.

I, Kevin Murphy, declare as follows:

1. I am Senior Counsel, Chubb Global Legal and, in that role, I have been principally responsible for managing the above-captioned litigation internally at Chubb including managing the retention of documents relevant to the litigation.

2. Federal has taken all necessary steps to preserve relevant information, including sending regular litigation holds that have been periodically updated throughout the course of litigation.

3. In this case, the initial litigation hold was sent to Federal employees in June 2016. The litigation hold warns of severe consequences for failure to comply with the directive, states the scope of relevant electronically stored information, and outlines records and documents that must be retained, the form in which this information must be maintained, and orders suspension of any destruction policies and/or automated deletion systems. It also directs Chubb employees to always err on the side of retention where

there is doubt regarding the relevance of documents and information and contact General Counsel with any questions regarding the preservation and retention of documents.

4. The litigation hold is directed towards roughly 20 individuals some of whom are current Chubb employees and others who are former employees who were identified as potentially having information relevant to this case. The litigation hold has been periodically revised during this case, including in March 2017, May 2018, and August 2019, to ensure that the appropriate individuals receive the litigation hold and that these individuals are regularly reminded of their preservation obligations.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: April 1, 2020

s/ Kevin Murphy

Kevin Murphy